

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

FRED BECK, ET AL.,

PLAINTIFFS,

VS.

CIVIL ACTION NO. 3:03CV60-P-D

KOPPERS INDUSTRIES, INC., ET AL.,

DEFENDANTS.

ORDER

This matter comes before the court upon Defendants' Motion for Court to Designate First Trial Plaintiff and for Expedited Consideration of the Motion [257-1]. Upon due consideration of the motion the court finds as follows, to-wit:

The motion is not well-taken and should be denied. The plaintiffs have the right to choose which among the twelve separate-trial plaintiffs should be tried first.

IT IS THEREFORE ORDERED AND ADJUDGED that Defendants' Motion for Court to Designate First Trial Plaintiff and for Expedited Consideration of the Motion [257-1] is hereby **DENIED**.

SO ORDERED this the 20th day of April, A.D., 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE